Office of the Correctional Investigator

2013-14

Report on Plans and Priorities

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Minister of Public Safety

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Correctional Investigator's Message

The mandate of the Office of the Correctional Investigator reflects fundamental elements of Canadian democratic values and traditions in our criminal justice system. The Office is one of many oversight agencies that exist to provide independent assurance to Canadians and parliamentarians that federal services and programs are delivered in an open, transparent and accountable manner.

As an ombudsman for federally sentenced offenders, independence, impartiality and respect for human rights are the foundations of my Office's mandate. While established in 1973, the Office achieved legislative authority in 1992 with the proclamation of the *Corrections and Conditional Release Act* (CCRA). With this legislation, Parliament expressly acknowledged the retained rights of federally sentenced offenders. Since 1973, the Office has maintained a tradition of excellence in achieving this mandate by delivering accessible ombudsman services to the federal offender population, through receiving and resolving individual complaints, conducting systemic investigations into broader issues and, pursuant to the CCRA, reviewing cases involving serious bodily injury or deaths in custody, as well as reviewing use of force incidents. The work performed by investigative staff and their ongoing dedication to ensure legal and policy compliance and fair decision-making, is rooted in the principle that offenders, like every other Canadian, must be treated fairly and in accordance with the rule of law.

The face of Canadian corrections is changing, mirroring an increasingly diverse and multi-ethnic society. In the past five years, all new net growth in the federal offender population can be attributed to increases in Aboriginal, Black, Asian and other visible minority groups. The CCRA provides that correctional policies, programs and services respect ethnic, cultural and linguistic differences. The Correctional Service of Canada (CSC) faces significant challenges in meeting the needs of a more diverse population profile.

At a time of restraint on government spending coupled with the increase of the offender population and its diversity, corrections needs to be defined by more than the number of correctional institutions, dollars and cents and numbers of offenders. As documented in my last Annual Report, prison crowding has a negative impact on the system's capacity to provide safe and humane conditions of confinement and prepare offenders for timely release. Investigative staff is challenged by this reality every time they visit an institution, speak to offenders and offender groups or conduct an investigation.

During the reporting period, my Office will continue to pursue and monitor areas of concern, including our corporate priorities which reflect the challenges faced by the CSC in managing Canadian penitentiaries and offenders. Our corporate priorities will continue to be: access to physical and mental health services; preventing deaths in custody; conditions of confinement;

issues facing Aboriginal offenders; access to correctional programming; and, issues affecting federally sentenced women. The pursuit and monitoring of these areas will include the launch or completion of several systemic investigations.

In the first year of this Plan, the Office will report on an investigation of the experiences of Black Canadians in federal penitentiaries, including an assessment of access to programs and services that are responsive to the needs of this growing segment of the prison population.

Howard Sapers
Correctional Investigator

Section I: Organizational Overview

Raison d'être

As the ombudsman for federally sentenced offenders, the Office of the Correctional Investigator (OCI) serves Canadians and contributes to safe, lawful and humane corrections through independent oversight of the CSC by providing accessible, impartial and timely investigation of individual and systemic concerns.

Responsibilities

The mandate of the OCI, as defined by the *Corrections and Conditional Release Act*, is to function as an Ombudsman for federal offenders. The organization is independent of the CSC and may initiate an investigation on receipt of a complaint by or on behalf of an offender, at the request of the Minister or on its own initiative. The Correctional Investigator is required by legislation to report annually through the Minister of Public Safety to both Houses of Parliament.

Strategic Outcome and Program Alignment Architecture (PAA)

The OCI's strategic outcome is: "The problems of offenders in the federal correctional system are identified and responded to in a timely fashion". The main program (Ombudsman for federal offenders), encompasses four organizational priorities and six corporate priorities.

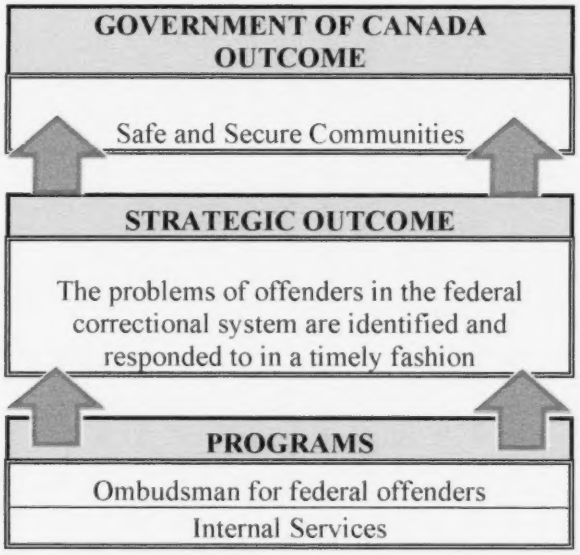
The OCI's organizational priorities are as follows:

- Investigate and resolve individual offender issues;
- Review the CSC's management of mandated issues;
- Investigate, resolve and provide leadership on specifically identified systemic issues stemming from the corporate priorities; and,
- Information Management.

The six corporate priorities consist of the following areas of focus identified as:

- Access to physical and mental health services;
- Preventing deaths in custody;
- Conditions of confinement;
- Issues facing Aboriginal offenders;
- Access to correctional programming; and,
- Issues affecting federally sentenced women.

The other program, Internal Services, supports the delivery of the Office's Ombudsman role for federal offenders as well as its corporate obligations to the central agencies of the federal government.


GOVERNMENT OF CANADA OUTCOME
Safe and Secure Communities
STRATEGIC OUTCOME
The problems of offenders in the federal correctional system are identified and responded to in a timely fashion
PROGRAMS
Ombudsman for federal offenders
Internal Services

Organizational Priorities

Priority	Type[1]	Strategic Outcome
Investigate and resolve individual offender issues	Ongoing	The problems of offenders in the federal correctional system are identified and responded to in a timely fashion.

Description: The primary role for the OCI is to investigate individual offender complaints via the toll-free telephone line, institutional visits, and interviews with offenders, offender groups and CSC staff.

Why is this a priority?

S.167 of the organization's enabling legislation, the *Corrections and Conditional Release Act*, states that: "*It is the function of the Correctional Investigator to conduct investigations into the problems of offenders related to decisions, recommendations, acts or omissions of the Commissioner or any person under the control and management of, or performing services for or on behalf of, the Commissioner that affect offenders either individually or as a group*".

Plans for meeting the priority.

Resources (current and incremental) will be directed to lead and conduct investigations; individual complaints will continue to be prioritized and responded to; and, information as well as outcomes will be documented in DATIS – the organization's case management tool.

Priority	Type	Strategic Outcome
Review the CSC's management of mandated issues	Ongoing	The problems of offenders in the federal correctional system are identified and responded to in a timely fashion.

Description: Review s.19 (serious bodily injury or deaths in custody) investigations and use of

1. Type is defined as follows: **previously committed to**—committed to in the first or second fiscal year prior to the subject year of the report; **ongoing**—committed to at least three fiscal years prior to the subject year of the report; and **new**—newly committed to in the reporting year of the RPP or DPR.

force incidents; make representations and/or recommendations to CSC officials at the appropriate level; and monitor/evaluate their response.

Why is this a priority?

The organization's involvement in s.19 reviews is mandated in the *Corrections and Conditional Release Act.* The review and assessment of use of force incidents is in keeping with the recommendations of the *Arbour Commission of Inquiry* and best practices.

Plans for meeting the priority.

Resources (indeterminate FTEs) will be committed to these areas to ensure the timely review of cases and appropriate interactions with the CSC.

Priority	Type	Strategic Outcome
Investigate, resolve and provide leadership on specifically identified systemic issues stemming from the corporate priorities	Ongoing	The problems of offenders in the federal correctional system are identified and responded to in a timely fashion.

Description: Six systemic areas requiring a specific focus and periodic review have been identified: access to physical and mental health services; preventing deaths in custody; conditions of confinement; issues facing Aboriginal offenders; access to correctional programming; and, issues affecting federally sentenced women.

Why is this a priority?

The completion of national systemic investigations in these areas should result in a reduction in the number of individual offender complaints that the Office receives. More importantly, it should help address long-standing concerns of offenders as it relates to their incarceration and safe reintegration in the community as law abiding citizens.

Plans for meeting the priority.

The OCI will conduct reviews and systemic investigations in these areas and increase its outreach efforts towards vulnerable groups, including those suffering from mental health issues.

The OCI will review and make recommendations on the CSC's policies and procedures. It will

use comparative analysis of CSC's statistics; institutional performance relating to these corporate priorities; oversight and evaluation through follow-up; and impact analysis of CSC's responses. The organization will focus its efforts and resources in these areas.

Priority	Type	Strategic Outcome
Information Management	Ongoing	The problems of offenders in the federal correctional system are identified and responded to in a timely fashion.

Description: A structured approach to the management of information assets will result in the development of the appropriate tools, policies and governance in support of sound information management.

Why is this a priority?

It is a requirement in order to remain compliant with policy and the law.

Plans for meeting the priority

The three-year IM Strategic Plan encapsulates yearly deliverables that are monitored on a quarterly basis. Adjustments to the Plan are made as required. In December 2013, year three of the plan, an evaluation of the IM Strategic Plan will be completed to evaluate the implementation of the governance model and systems and identify lessons learned.

Risk Analysis

Maintaining an independent and objective review process within a correctional environment where the Office has no control over the number of complaints requiring investigations presents a number of unique challenges:

- The Office's mandate is national in scope and the sheer number and complexity of issues require flexibility and constant re-evaluation of priorities. The client base and network of stakeholders are dispersed in a large number of often geographically remote locations throughout Canada.

- Actual population growth to date has not reached projected levels and the cumulative effect of legislative and policy changes may only be realized over time. While new and planned cell construction will address long term population pressures, immediate capacity challenges including the closure of three institutions and an estimated 1000 beds, resulting in medium term increased use of double bunking.

- The resolution of complaints in an environment traditionally closed to public scrutiny requires that the Office not only be, but be seen to be independent of both the CSC, Public Safety Canada and the Minister.

- Given that the authority of the Office rests with its power of persuasion and quality of reporting rather than enforceable recommendations, it is imperative that appropriate administrative and public mechanisms be available to ensure that reasonable, fair and timely action is taken on the findings and recommendations made by the Office.

In addition, the Office does not foresee a decline in either the overall demand for services or in the complexity of the issues it is called upon to address. The environment in which it operates continues to be extremely challenging.

Planning Summary

Financial Resources (Planned Spending — $ thousands)

Total Budgetary Expenditures (Main Estimates) 2013-14	Planned Spending 2013–14	Planned Spending 2014–15	Planned Spending 2015–16
$4,677	$4,790	$4,685	$4,685

Human Resources (Full-Time Equivalents—FTE)

2013–14	2014–15	2015–16
36	36	36

Planning Summary Table for Ombudsman for federal offenders ($ thousands)

Strategic Outcome	Program	Actual Spending 2010–11	Actual Spending 2011–12	Forecast Spending 2012–13[2]	Planned Spending			Alignment to Government of Canada Outcomes[3]
					2013 –14	2014 –15	2015 –16	
The problems of offenders in the federal correctional system are identified and responded to in a timely fashion.	Ombudsman for federal offenders	$3,241	$3,716	$3,445	3,653	$3,467	$3,467	Safe and Secure Communities
Sub –Total		$3,241	$3,716	$3,445	$3,653	$3,467	$3,467	

2 The amount should reflect the organization's best estimates of its cash expenditures—in other words, what the organization would expect to see published in the upcoming Public Accounts.

3 Information on departmental alignment to Government of Canada outcomes is available on the Secretariat's website.

Planning Summary Table for Internal Services ($ thousands)

Program	Actual Spending 2010–11	Actual Spending 2011–12	Forecast Spending 2012–13[4]	Planned Spending*		
				2013–14	2014–15	2015–16
Internal Services	$ 838	$1,221	$1,121	$1,137	$1,218	$1,218
Sub –Total	$838	$1,221	$1,121	$1,137	$1,218	$1,218

*The planned spending amount for Internal Services includes operational costs for the benefit of the main program, Ombudsman for federal offenders. These costs include several memoranda of understanding with service providers as well as consultant contracts.

Planning Summary Total ($ thousands)

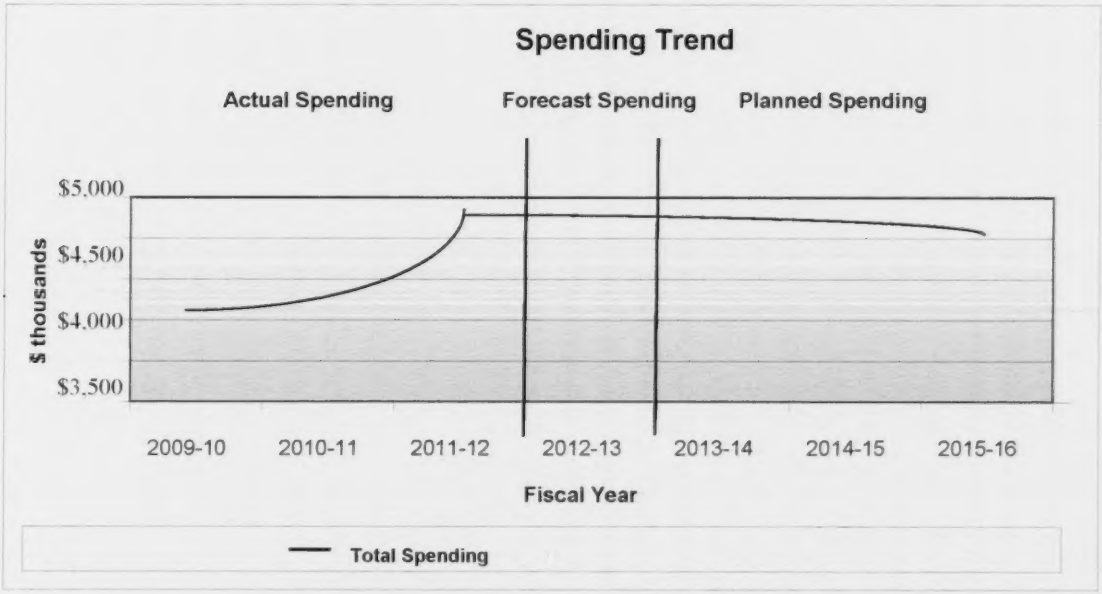
Strategic Outcome Program, and Internal Services	Actual Spending 2010–11	Actual Spending 2011–12	Forecast Spending 2012–13[5]	Planned Spending		
				2013–14	2014–15	2015–16
Total	$4,079	$4,937	$4,567	$4,790	$4,685	$4,685

[4] The amount should reflect the organization's best estimates of its cash expenditures—in other words, what the organization would expect to see published in the upcoming Public Accounts.

[5] The amount should reflect the organization's best estimates of its cash expenditures—in other words, what the organization would expect to see published in the upcoming Public Accounts.

Expenditure Profile

Departmental Spending Trend



As reflected in this chart, organizational planned spending remains consistent until 2015-16. Funding received in 2010-11 to address workload pressures contributed to the organization's actual spending in 2011-12.

Estimates by Vote

For information on our organizational appropriations, please see the *2013-14 Main Estimates* publication.

Section II: Analysis of Program(s) by Strategic Outcome

Strategic Outcome

The OCI has a single strategic outcome: "The problems of offenders in the federal correctional system are identified and resolved in a timely fashion" and is supported by its main program "Ombudsman for federal offenders".

The tables below describe how the organization's main program aligns to the Strategic Outcome, and how the organization plans to measure success and ultimately benefit Canadians.

Strategic Outcome: *The problems of offenders in the federal correctional system are identified and resolved in a timely fashion.*

Performance Indicators	Targets
Percentage of recommendations from the Annual Report and other significant reports issued by the OCI that are accepted in whole or in part by the CSC.	100%
Following the prioritization of workload, percentage of offender complaints responded to (closed cases in DATIS) in a timely fashion.	100%

Program

Ombudsman for federal offenders

Program Description

Through this program, the Office of the Correctional Investigator conducts investigations of individual offender complaints regarding acts, omissions, decisions and recommendations of the CSC. It also has a responsibility to review and make recommendations on CSC's policies and procedures associated with the areas of individual complaints, to ensure that systemic areas of complaint are identified and appropriately addressed, and to review all s.19 investigations performed by CSC following the death of, or serious injury to, an inmate.

Financial Resources ($ thousands)

Total Budgetary Expenditures (Main Estimates) 2013-14	Planned Spending 2013–14	Planned Spending 2014–15	Planned Spending 2015–16
$3,653	$3,653	$3,467	$3,467

Human Resources (Full-Time Equivalent—FTE*)

2013–14	2014–15	2015–16
31	31	31

*Only FTEs assigned to the Investigative Stream under the Ombudsman for federal offenders program are reflected.

Program Expected Results	Performance Indicators	Targets
To provide responsive and timely Ombudsman services to federal offenders.	Percentage of completed institutional visits.	100% completion rate as per OCI policy and service delivery standards.
	Percentage of responses to individual offender complaints (closed cases) by timeframe.	100% completion rate as per OCI policy and service delivery standards.
	Percentage of usage by inmate population of OCI services as indicated by the number of interviews and contacts as per DATIS entries.	Increased percentage of usage in comparison to previous fiscal year.
	Percentage of acceptance by CSC of OCI recommendations on key systemic areas of offender concern.	100% of all recommendations made to the CSC are accepted in whole or in part.
	Number of s.19 and Use of Force cases reviewed.	100% completion rate as per OCI policy and service delivery standards.

Program

Internal Services

Program Description

Internal Services are groups of related activities and resources that are administered to support the needs of programs and other corporate obligations of an organization. These groups are: Management and Oversight Services; Communications Services; Legal Services; Human Resources Management Services; Financial Management Services; Information Management Services; Information Technology Services; Real Property Services; Materiel Services; Acquisition Services; and Travel and Other Administrative Services. Internal Services include only those activities and resources that apply across an organization and not to those provided specifically to a program.

Financial Resources ($ thousands)

Total Budgetary Expenditures (Main Estimates) 2013-14	Planned Spending* 2013–14	Planned Spending* 2014–15	Planned Spending* 2015–16
$1,024	$1,137	$1,218	$1,218

*The planned spending amount for Internal Services includes operational costs for the benefit of the main program, Ombudsman for federal offenders. These costs include several memoranda of understanding with service providers as well as consultant contracts.

Human Resources (Full-Time Equivalent—FTE*)

2013–14	2014–15	2015–16
5	5	5

*Only FTEs assigned to the Corporate Stream under the Internal Services program are reflected. Both streams total 36 FTEs.

Planning Highlights

This Report on Plans and Priorities presents the organization's six corporate priorities: access to physical and mental health services; preventing deaths in custody; conditions of confinement; issues facing Aboriginal offenders; access to correctional programming; and, issues affecting federally sentenced women. A work plan detailing national systemic investigations in these areas will be developed and will guide investigative staff in the reporting period.

In the first year of this Report on Plans and Priorities, the organization expects to house a full complement of investigative staff that will contribute to the delivery of the mandate, bolster systemic investigations and continue to effectively respond to individual offender complaints. It is expected that turnover will not be a factor in the life of this Plan which will allow for effective planning of institutional assignments, workload distribution and completion of systemic investigations. Notwithstanding, the organization will continue to rely on the ongoing establishment of pools of qualified candidates at every level within the investigative stream.

As for internal services, the organization has several memoranda of understanding (MOUs) in place with service providers who provide basic corporate services to the organization, i.e., financial services, pay and compensation, contracting, staffing and other HR services. These MOUs include quality control, oversight, monitoring, and performance indicators although more work is required with regard to enforceable service standards. The organization's Internal Services performance is assessed by the OCG's core control and horizontal audits.

Section III: Supplementary Information

Financial Highlights

Future-Oriented Condensed Statement of Operations and Departmental Net Financial Position

For the Year (ended March 31)

($ dollars)

	$ Change	Forecast 2013-14	Estimated Results 2012-13
Total expenses	$168,030	$5,136,223	$5,304,253
Total revenues			
Net cost of operations before government funding and transfers	**$168,030**	**$5,136,223**	**$5,304,253**
Departmental net financial position	**$15,384**	**($453,841)***	**($469,225)***

*The costs stemming from the *Services Provided Without Charge by Other Government Departments* represent 90% of the Estimated Results amount in 2012-13 and 88% of the Forecast amount in 2013-14. The *Net cash provided by the Government* does not include a provision for these services; however, it is still considered a cost to the operations.

Future-Oriented Condensed Statement of Financial Position
For the Year (ended March 31)
($ dollars)

	$ Change	Forecast 2013-14	Estimated Results 2012-13
Total net liabilities	$4,384	$594,126	$598,510
Total net financial assets	$11,000	$140,285	$129,285
Departmental net debt	$15,384	$453,841	$469,225
Total non-financial assets			
Departmental net financial position	**$15,384**	**($453,841)***	**($469,225)***

*The costs stemming from the *Services Provided Without Charge by Other Government Departments* represent 90% of the Estimated Results amount in 2012-13 and 88% of the Forecast amount in 2013-14. The *Net cash provided by the Government* does not include a provision for these services; however, it is still considered a cost to the operations.

Future-Oriented Financial Statements

The full suite of future-oriented financial statements can be accessed at the Office of the Correctional Investigator web site at: www.oci-bec.gc.ca/rpt/index-eng.aspx

List of Supplementary Information Tables

This Report on Plans and Priorities does not include any supplementary information tables.

Tax Expenditures and Evaluations Report

The tax system can be used to achieve public policy objectives through the application of special measures such as low tax rates, exemptions, deductions, deferrals and credits. The Department of Finance publishes cost estimates and projections for these measures annually in the *Tax Expenditures and Evaluations* publication *(Tax Expenditure and Evaluation)*. The tax measures presented in the *Tax Expenditures and Evaluations* publication are the sole responsibility of the Minister of Finance.

Section IV: Other Items of Interest

Organizational Contact Information

Manuel Marques
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Additional Information

The Office of the Correctional Investigator Website: http://www.oci-bec.gc.ca

E-mail: org@oci-bec.gc.ca

Enabling legislation: *Corrections and Conditional Release Act* at www.justice.gc.ca

Reports and Discussion Papers found at the Office of the Correctional Investigator's website (www.oci-bec.gc.ca):

- Correctional Investigator's Annual Reports
- Previous Departmental Performance Reports and Reports on Plans and Priorities
- Financial Statements (Historic and Future-oriented)

Endnotes

i. Public Accounts of Canada 2012, http://www.tpsgc-pwgsc.gc.ca/recgen/txt/72-eng.html

ii. Treasury Board of Canada Secretariat, http://www.tbs-sct.gc.ca/tbs-sct/index-eng.asp

iii. Office of the Correctional Investigator, http://www.oci-bec.gc.ca

iv. Department of Finance, http://www.fin.gc.ca/purl/taxexp-eng.asp